

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**SOUTHERN DIVISION**

**U.S.A. vs. Beta Cao**

**Docket No. 7:11-MJ-1067-1**

**Petition for Action on Probation**

COMES NOW Pamela Oliver Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Beta Cao, who, upon an earlier plea of guilty to Larceny of Government Property, 18 U.S.C. § 641, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on April 12, 2012, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
3. The defendant shall pay a special assessment of \$25 and a fine of \$500 during the term of probation.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

The probationer has complied with his conditions of supervision except the 24 hours of community service. He satisfied the financial obligation in full on February 27, 2013. Throughout the term of supervision, the probationer has struggled with Major Depressive Disorder and has been involved in an intensive mental health treatment program. Furthermore, he was hospitalized in February 2013, due to suicidal thoughts. He currently participates in an outpatient mental health treatment program three days a week from 9:00 a.m. to 3:00 p.m. daily.

The probationer's unstable mental health condition made it difficult for the supervising probation officer to secure a community service placement. The probationer's supervision is due to expire on April 11, 2013, and the community service obligation is still outstanding. In view of the probationer's otherwise compliance, the supervising probation officer is requesting the court remit the community service obligation and allow the term of supervision to expire.

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**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

The community service obligation is remitted.

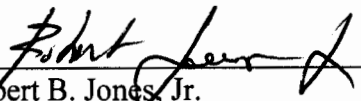
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/Pamela O. Thornton  
Pamela O. Thornton  
Senior U.S. Probation Officer  
2 Princess Street, Suite 308  
Wilmington, NC 28401-3958  
Phone: 910-815-4857  
Executed On: April 8, 2013

**ORDER OF COURT**

Considered and ordered this 9th day of April, 2013, and ordered filed and made a part of the records in the above case.

  
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Robert B. Jones, Jr.  
U.S. Magistrate Judge